

REMARKS

The office action of May 5, 2006, has been carefully considered.

It is noted that the drawings, the abstract of the disclosure and the disclosure are objected to.

Claims 1-4 are rejected under 35 U.S.C. 103(a) over European Publication No. 0075448 to McKee in view of the patent to Fries.

In connection with the Examiner's objections to the application, applicant has canceled the original Abstract, attached hereto a new Abstract of the Disclosure and amended the specification to correct the informalities pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the objections to the application are overcome and should be withdrawn.

Relative to the Examiner's objection to the drawings, applicant has attached replacement sheets containing Figs. 2-4,

which show the features required by the Examiner. It is respectfully submitted that no new matter is added by these changes.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to McKee, it can be seen that this reference discloses a double bladed shear. The blades of the presently claimed invention have a different fastening than the blades of McKee. In McKee the blade carriers are identical in form. The blade 4 rests on the left side against a projection and the blade 5 rests on the right side against a projection. The upper pair of blades and the lower pair of blades are fastened by a threaded clamping element. During cutting or cropping a strip on blade is pressed against the clamping element.

According to the present invention, the left upper blade 3 is fastened to a projection 14 and the right upper blade 4 is fastened to a projection 13. The fastening of each blade is separate from the other blade. An exchange, and in particular a loosening, of only one blade is possible. In McKee, on the other

hand, both blades are loosened by loosening the clamping arrangement. It is not possible to exchange only one pair of blades in McKee, as in the presently claimed invention.

Furthermore, contrary to McKee, in the presently claimed invention the lower knife is fastened to only one projection 15. In this way the projection is between the blades and can support the blades during cutting/cropping. In McKee, the support is provided by the clamping elements. This means that the screws take up a large part of the applied force. In the present invention the bearing surfaces 18, 19 are formed on the lower blade holder 2, while in McKee the bearing surfaces are formed separate from a screwed-in clamping element.

The patent to Fries discloses continuously rotating shears.

The Examiner combined Fries with McKee in determining that claims 1-4 would be unpatentable over such a combination. Applicant respectfully submits that neither of these references, nor their combination, teach a crank shear having the features discussed above as recited in the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-4 under 35 U.S.C. 103(a) over a

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combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By 

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on September 5, 2006.

By: 
Klaus P. Stoffel

Date: September 5, 2006